

INTERNAL MEMO

FROM: Annalisa Miranda, Chief Purchasing Officer
TO: Office of the County Attorney
DATE: February 15, 2017
SUBJECT: Written Determination of the Purchasing Agent – Purchase from EnviroWorks

This is the written determination of the Purchasing Agent pursuant to §31-233, regarding the purchase from EnviroWorks, LLC for landfill scar repair, under AGR16-049. The corresponding purchase order created to encumber funds for this procurement is PO 97828.

Part of my preparation of this written determination included consultation with the office of the County Attorney, and discussions with Dan Erickson, Traffic and Streets Manager. I have also reviewed the Agreement, AGR16-049, the Purchase Order, and invoice documentation available in the County's financial system.

It is my determination that neither the purchaser nor the person awarded the contract have acted fraudulently or in bad faith.

Information which I considered as part of making my determination follows:

This procurement was properly competed and awarded. The project was complicated; the nature of the services and the diverse requirements of the various stakeholders made it difficult to anticipate everything which might impact the timeline. There is a clear business need for completing the services.

The request to amend the Agreement to extend the term and increase the compensation should have been made before the Agreement expired. However, it is my opinion this was due to administrative oversight, not a deliberate intent to violate the Procurement Code.

As a follow up to this written determination, Procurement has drafted an Amendment to AGR16-049 for review by the office of the County Attorney.